

Exhibit A

Proposed Order

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et*
al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**This filing relates to the
Commonwealth and ERS.**

ORDER GRANTING TWO HUNDRED NINETY-SECOND OMNIBUS OBJECTION
(SUBSTANTIVE) OF THE COMMONWEALTH OF PUERTO RICO AND THE
EMPLOYEES RETIREMENT SYSTEM OF THE GOVERNMENT OF PUERTO RICO TO
CLAIMS THAT ARE PARTIALLY DEFICIENT AND PARTIALLY BASED ON
INVESTMENTS IN MUTUAL FUNDS

*Upon the Two Hundred Ninety-Second Omnibus Objection (Substantive) of the
Commonwealth of Puerto Rico and the Employees Retirement System of The Government of Puerto
to Claims Based on Investments in Mutual Funds [ECF No. 15722] (the “Two Hundred Ninety-*

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”, and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5532-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Second Omnibus Objection”),² filed by the Commonwealth of Puerto Rico (“Commonwealth”) and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), dated January 22, 2021, for entry of an order disallowing certain claims filed against the Commonwealth and ERS, as more fully set forth in the Two Hundred Ninety-Second Omnibus Objection and supporting exhibits thereto; and the Court having jurisdiction to consider the Two Hundred Ninety-Second Omnibus Objection and to grant the relief requested therein pursuant to PROMESA section 306(a); and venue being proper pursuant to PROMESA section 307(a); and due and proper notice of the Two Hundred Ninety-Second Omnibus Objection; and the Court having determined that the claims identified in Exhibit A to the Two Hundred Ninety-Second Omnibus Objection (the “Claims to Be Disallowed”) seek recovery, in part, of amounts for which the Commonwealth is not liable; and the Court having determined that the remaining portions of the Claims to Be Disallowed are deficient; and the Court having determined that the relief sought in the Two Hundred Ninety-Second Omnibus Objection is in the best interests of the Commonwealth, ERS, their creditors, and all parties in interest; and the Court having determined that the legal and factual bases set forth in the Two Hundred Ninety-Second Omnibus Objection establish just cause for the relief granted herein; and the Court having deemed a hearing is not necessary as no objection, responsive pleading, or request for a hearing with respect to the Two Hundred Ninety-Second Omnibus Objection has been submitted, and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED that the Two Hundred Ninety-Second Omnibus Objection is GRANTED as set forth herein; and it is further

² Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Two Hundred Ninety-Second Omnibus Objection.

ORDERED that the Claims to Be Disallowed are hereby disallowed in their entirety; and it is further

ORDERED that Prime Clerk, LLC, is authorized and directed to designate the Claims to Be Disallowed as expunged in the official claims registry in the Title III Cases; and it is further

ORDERED that this Order resolves Docket Entry No. 15722 in Case No. 17-3283; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

SO ORDERED.

Dated: _____

Honorable Judge Laura Taylor Swain
United States District Judge

EXHIBIT A

Schedule of Claims Subject to the Two Hundred Ninety-Second Omnibus Objection

Two Hundred and Ninety-Second Omnibus Objection
Exhibit A - Bondholder No Liability + Deficient

	NAME	DATE FILED	CASE NUMBER	DEBTOR	CLAIM #	ASSERTED CLAIM AMOUNT
1	ARANIBAR BRAVO, GONZALO J. P.O. BOX 9020895 SAN JUAN, PR 00902-0895	5/29/2018	17 BK 03283-LTS	Commonwealth of Puerto Rico	32087	\$ 3,555.98
	Reason: Claimant appears to assert, per best effort reviewing proof of claim, supporting documentation, bond name(s) at issue, and/or the CUSIP information, investments in one or more mutual funds that in turn may have invested in bonds issued by the Commonwealth and/or ERS. The claim thus seeks recovery for an amount for which the Commonwealth and/or ERS is not liable because the claimant is not a "creditor" of the Commonwealth and/or ERS and lacks standing to assert this derivative and deficient claim.					
2	CLAUDIO ALIFF ORTIZ AND KATHY ROMAN RIVERA ALB PLAZA, SUITE 400 16 RD. 199 GUAYNABO, PR 00969	6/29/2018	17 BK 03283-LTS	Commonwealth of Puerto Rico	153553	\$ 138,998.54
	Reason: Claimant appears to assert, per best effort reviewing proof of claim, supporting documentation, bond name(s) at issue, and/or the CUSIP information, investments in one or more mutual funds that in turn may have invested in bonds issued by the Commonwealth and/or ERS. The claim thus seeks recovery for an amount for which the Commonwealth and/or ERS is not liable because the claimant is not a "creditor" of the Commonwealth and/or ERS and lacks standing to assert this derivative and deficient claim.					
3	CRESPO CARDONA, MARGARITA CARR 348 #2835 MAYAGUEZ, PR00680-2100	6/18/2018	17 BK 03283-LTS	Commonwealth of Puerto Rico	72436	\$ 95,167.25
	Reason: Claimant appears to assert, per best effort reviewing proof of claim, supporting documentation, bond name(s) at issue, and/or the CUSIP information, investments in one or more mutual funds that in turn may have invested in bonds issued by the Commonwealth and/or ERS. The claim thus seeks recovery for an amount for which the Commonwealth and/or ERS is not liable because the claimant is not a "creditor" of the Commonwealth and/or ERS and lacks standing to assert this derivative and deficient claim.					
4	ORTIZ ATIENZA, MARIA M. PO BOX 9020895 SAN JUAN, PR 00902-0895	5/29/2018	17 BK 03283-LTS	Commonwealth of Puerto Rico	27057	\$ 66,690.78
	Reason: Claimant appears to assert, per best effort reviewing proof of claim, supporting documentation, bond name(s) at issue, and/or the CUSIP information, investments in one or more mutual funds that in turn may have invested in bonds issued by the Commonwealth and/or ERS. The claim thus seeks recovery for an amount for which the Commonwealth and/or ERS is not liable because the claimant is not a "creditor" of the Commonwealth and/or ERS and lacks standing to assert this derivative and deficient claim.					
5	SURIA HERNANDEZ, CARMEN DELIA RESIDENCIAS FACULTAD UPR MD 1 SAN JUAN, PR 00923	5/25/2018	17 BK 03283-LTS	Commonwealth of Puerto Rico	27080	\$ 250,000.00*
	Reason: Claimant appears to assert, per best effort reviewing proof of claim, supporting documentation, bond name(s) at issue, and/or the CUSIP information, investments in one or more mutual funds that in turn may have invested in bonds issued by the Commonwealth and/or ERS. The claim thus seeks recovery for an amount for which the Commonwealth and/or ERS is not liable because the claimant is not a "creditor" of the Commonwealth and/or ERS and lacks standing to assert this derivative and deficient claim. Another portion appears deficient in that the total amount claimed is greater than the amounts represented in the supporting documents.					
					TOTAL	\$ 554,412.55*